

**From:** acarter@irimicorp.com@inetgw  
**To:** Microsoft ATR  
**Date:** 1/28/02 10:15am  
**Subject:** Microsoft Settlement

As a tech entrepreneur for the the past 12 years, I've traditionally had little concern for how government could or might affect my business. With most small businesses, there isn't the time to follow legislation nor the resources to hire lobbyists as AOL, Sun, Oracle and Microsoft do. However, the influence that government wields over our industry appears to be increasing and has finally forced me to take notice and get involved. Through my membership in the Association for Competitive Technology and other organizations, I have started to follow these issues more closely and, at least, attempt to voice my concerns with lawmakers. It's clear that small technology businesses can no longer afford to simply ignore the role government plays our industry, despite the likelihood they won't be heard.

Nowhere has this been more obvious than in the Microsoft antitrust trial. In the absence of an active community of small tech businesses, corporate behemoths that have branded Microsoft "public enemy number one" have claimed the mantle of "Defenders of the Industry." Yet, their cries for further litigation and harsher remedies seem to be borne less out of concern for industry as a whole and more out of corporate self-interest. If they are successful, the result would be further damage to the entrepreneurial technology companies that are the life blood of the industry.

While it may go too far in some areas, the settlement agreed to by the DOJ, nine states and Microsoft addresses the real concerns of small tech businesses. The provisions that guarantee access to the information (API's and other code) necessary for developers, create transparent pricing, and force Microsoft to relinquish control of the desktop will ensure innovation and competition will continue to flourish.

The biggest benefit of this settlement, however, is that it finally puts this case behind us. While it has loomed over the industry, small tech businesses have been held hostage as the industry waits to see the outcome of the trial. The outcome of the case will have collateral effects throughout the industry and the threat of court-mandated technological changes has left small companies with larger partners having limited budgets for research and development in limbo. Many small companies find their success in Microsoft's wake. Minor penalties levied against a behemoth Microsoft, even in the form of handouts to Microsoft's behemoth competitors, will have deadly ramifications to small companies technologically on the edge and financially on the bubble.

Judge Kollar-Kotelly, I urge you to accept this settlement no behalf of the thousands of small tech businesses that need closure to these case,

not continued litigation to benefit a few of Microsoft's largest competitors.

E. Andre Carter  
President  
Irimi Incorporated

**CC:**            [acarter@irimicorp.com@inetgw](mailto:acarter@irimicorp.com@inetgw)